



February 20, 2002

ENGROSSED HOUSE BILL No. 1204

DIGEST OF HB 1204 (Updated February 18, 2002 7:42 PM - DI 105)

Citations Affected: IC 34-49.

Synopsis: Appeal bonds. Limits the amount of an appeal bond that an appellant must post to stay execution on a judgment while an appeal is pending to \$25,000,000.

Effective: July 1, 2002.

Dvorak, Young D

(SENATE SPONSORS — LONG, LANANE)

January 10, 2002, read first time and referred to Committee on Courts and Criminal Code.
January 17, 2002, reported — Do Pass.
January 23, 2002, read second time, ordered engrossed. Engrossed.
January 28, 2002, read third time, passed. Yeas 93, nays 1.

SENATE ACTION

February 1, 2002, read first time and referred to Committee on Judiciary.
February 19, 2002, reported favorably — Do Pass.

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EH 1204—LS 6845/DI 69+



February 20, 2002

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

ENGROSSED HOUSE BILL No. 1204

A BILL FOR AN ACT to amend the Indiana Code concerning civil law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 34-49-5-3 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2002]: **Sec. 3. (a) An appeal bond that an appellant must post to**
4 **stay execution on a judgment while an appeal is pending may not**
5 **exceed twenty-five million dollars (\$25,000,000) regardless of the**
6 **total amount of the judgment.**
7 **(b) Notwithstanding subsection (a), if an appellee proves by a**
8 **preponderance of the evidence that an appellant is dissipating**
9 **assets outside the ordinary course of business to avoid payment of**
10 **a judgment, a court may enter orders that:**
11 **(1) are necessary to protect the appellee; and**
12 **(2) require the appellant to post a bond that is equal to the**
13 **total amount of the judgment.**

EH 1204—LS 6845/DI 69+



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COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1204, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

DVORAK, Chair

Committee Vote: yeas 11, nays 1.

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EH 1204—LS 6845/DI 69+



COMMITTEE REPORT

Mr. President: The Senate Committee on Judiciary, to which was referred House Bill No. 1204, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1204 as printed January 18, 2002.)

BRAY, Chairperson

Committee Vote: Yeas 6, Nays 3.

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EH 1204—LS 6845/DI 69+

